

**STRATEGIC PLANNING COMMITTEE**  
**UNITED STATES BANKRUPTCY COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

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United States Bankruptcy Court  
Southern District of New York

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United States Bankruptcy Court  
Southern District of New York

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**REFLECTIONS ON THE SEVENTH ANNUAL STRATEGIC  
PLANNING  
JANUARY 10 -11, 2002**

**The purpose of the United States Bankruptcy Court for the Southern District of New York is to provide, economically, a fair, consistent and effective forum for the protection and marshaling of estate assets, the discharge or adjustment of debts, and the timely distribution of property or securities, in accordance with applicable law.**

**INTRODUCTION**

The United States Bankruptcy Court for the Southern District of New York held its seventh annual strategic planning session on January 10<sup>th</sup> and 11<sup>th</sup>, 2002. This session, originally scheduled for September 20-21, 2001, was postponed due to the tragic events of September 11<sup>th</sup>, 2001.

Continuing with tradition, the committee consisted of a cross-section of court constituents and staff, including representatives from the three divisions of the court located in Manhattan, White Plains and Poughkeepsie. The process is a collaborative effort among judges, clerk's office staff, representatives from the United States Trustee's and United States Attorney's Offices and members of the bankruptcy bar. The Federal Judicial Center and the Administrative Office of the United States Courts continue to play a valuable role in helping to support the process.

The committee reaffirmed its support of the court's purpose, values and critical functions established at previous sessions. This year the group considered the court's established values and how to incorporate them into the court's culture in light of a changing global environment. The mission of the court, together with these underlying constants, continues to serve as the foundation on which management decisions are made and goals for the court are identified by the committee.

The structure of the strategic planning process is one which encourages information sharing and innovative thinking among participants. The strategic planning session identifies the framework for changes in policy and procedure necessary to guide the court into the future. This year the committee was more aware of how drastically outside influences can affect the strategic plan. In light of the events of September 11, 2001, the committee re-evaluated the assumptions that it has used to guide it in the past.

## **THE PROCESS**

One of the most ominous, outside influences that changed the court's environment was the tragic event of September 11<sup>th</sup>, 2001. This led the committee to more closely examine the Court's Continuity of Operations Plan (the "COOP") and the ability of the court to continue the critical functions identified in its mission statement. The committee agreed that the critical functions of case management, marshaling and distribution of assets, and dispute resolution were adequately maintained during the crisis. Everyone agreed that processing and dissemination of information was good; however, this was an area that required more in-depth development in order to better meet the needs of the court's users in the event of a future disaster. This revelation set the tone for the rest of the discussion concerning the COOP.

In a departure from previous years' strategic planning sessions which concentrated on the court's role under the various chapters of the Bankruptcy Code, the committee focused more this year, generally, on the court's core values and their relevance in current practices. These core values serve as the core ideology underlying the court's mission statement. The court's purpose, values and critical functions form the basis on which all decisions affecting the court are made.

## **THE PLAN**

In order to incorporate the ideas identified by the strategic planning committee into the court's culture, specific goals were set. Each goal is measured against the court's mission, critical functions and underlying core values.

### **Goal 1:**

Re-evaluate the court's COOP and transform it into a plan that will fully meet the needs of the court's constituents in the event of a disaster.

#### **Strategy:**

- Compile a list of additions and amendments to the COOP and identify ways to make them a reality. For example:
  - Establish an alternate site for holding court within a reasonable distance from the division displaced by a disaster;
  - Create backup for the telephone system;
  - Identify a secure location for the CM/ECF replication server;
  - Create alternate mechanisms for disseminating information; and
  - Develop and publicize a standard protocol so that users of the court would have knowledge of it prior to a disastrous event.

**Responsible Parties:**

- Chief Judge and Clerk of Court, working in coordination with representatives of various bar and legal professional associations, will compile a comprehensive list of requirements and develop a plan of action.

**Goal 2:**

Politely and quickly provide the users of the court, electronically, telephonically, or in person, with correct answers to their questions, or politely tell them why their questions cannot be answered.

**Strategy:**

- Create a users' manual in electronic form containing all information that judges and staff need on policies and procedures enabling employees to answer questions from the public. This manual should be available on the court's web site, and allow access to correct information in both English and Spanish.
- Create uniformity in the quality of customer service in the courtrooms and clerk's offices when interfacing with the outside world by developing a specific customer service program to be included in a performance plan; set out specific expectations, and monitor how the program is being absorbed into the court's culture.
- Expedite distribution of accurate information to all customers by reviewing all procedures from case commencement through disposition and coordinating and implementing revisions of procedures; measure customer satisfaction.

**Responsible Parties:**

- **Users' Manual** - Operations Manager, responsible for developing a manual; Information and Technology Director, responsible for developing a technology package to implement use of the manual; Supervisor of Records and Intake, to develop a training program and train employees.
- **Customer Service Program** - Operations and Administrative Managers to review existing customer service program, modify the court's requirements and develop a training program. Case Management and Intake and Records Supervisors to develop a process to monitor success. Information and Technology Director to develop an e-mail message board for users to communicate ideas and complaints. Administrative Manager and Chief Deputy

Clerk to update the telephone message to inform the public of additional services as they are made available and how to obtain information.

- **Distribution of Accurate Information** - Clerk, Chief Deputy Clerk, Information Technology Director, to:
- Develop a mechanism to redirect banks and credit card agencies to use available PACER access to obtain information.
- Measure customer satisfaction by implementing a follow-up survey to establish the accuracy of the information obtained and the helpfulness of the personnel.
- Post on the court's web site standard expectations of judges; for example, procedures to follow for contested matters.

### **Goal 3:**

Consistency in approach by all chambers; make court calendar available to all constituents- on court's web site.

#### **Strategy:**

- Identify a more consistent method for addressing the special needs of contested matters throughout the district. This would include improving communication from chambers either electronically or telephonically as to what is expected at the first hearing.
- Adequately equip all courtrooms for tele-conferencing and video conferencing and encourage the judges to be receptive to hold such hearings when the circumstances warrant.
- Modify online calendar so users can view pending matters and provide a means for optional online scheduling.

#### **Responsible Parties:**

Clerk, Chief Deputy Clerk and Courtroom Deputies to develop and conduct a feasibility study and cost-benefit analysis and to identify and collect information regarding scheduling needs and issues from judges and outside constituents. Information and Technology Director to develop calendaring system program provided the feasibility study shows that there is sufficient interest by the court's constituents to justify the time and expense that would be necessary to develop such a program.

## CONCLUSION:

The court continues to work on the goals set out in previous strategic plans that have not yet been achieved. Others have been incorporated into the standard operating practices and procedures of the court. Some of the more recent goals that have been met are: a web-based training tutorial for electronic case filing is now available on the court's web site; Debtor in Possession Financing Guidelines have been drafted and are available for comment from the bar; and video conferencing capabilities are available in all three divisions of the court.

In previous sessions of the strategic planning committee, goals were developed by examining the critical functions of the court which support the purpose set out in its mission statement. This year's strategic planning process focused first on a preemptive approach to coping with disaster and understanding the need for essential services. An examination of the effectiveness of the COOP served as an impetus for the committee to set the first goal – to re-evaluate the court's disaster recovery plan and transform it into a plan that will fully meet the needs of the court's constituents in the event of a disaster.

Second, we closely examined some of the court's core values – the common language for aligning an organization with its practices and purposes and which serve to guide the court in the fulfillment of its mission. Moreover, the core values served as a focus to identify the challenges which provided the basis for developing the goals for the court.

The first core value examined was the “professional and competent judges and staff.” This examination yielded the challenge to enhance the uniformity and quality of customer service in the courtrooms and clerk's offices in dealing with the public. To meet this challenge, the committee set the second goal – 100% of the time, users of the court, either electronically, telephonically, or in person, will be quickly provided consistent, correct information, or be politely instructed why their question cannot be answered.

The second core value examined in depth was “consistency in approach.” From the examination of this value, the third goal was developed – consistency in approach by all chambers: make court calendars available to all constituents on the court's web site.

The committee believes that the court has adequately addressed the need to improve its processing of the critical functions and is now in a position to focus on the more esoteric thinking and examine the core values and principles underlying the court's mission. We are in an excellent position to make some major changes in the way we do business and this year's goals reflect that thinking.

Once again, the court is indebted to the members of the strategic planning committee and thanks them for their time, efforts and hard work. The strategic plan continues to assist the court in maintaining its focus on a shared vision for the future.